

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,

Plaintiff,

v.

Adv. Pro. No. 12-01019 (CGM)

BANCO ITAÚ EUROPA LUXEMBOURG
S.A., and BANCO ITAÚ EUROPA
INTERNATIONAL,

Defendants.

STIPULATION AND ORDER

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the estate of Bernard L. Madoff, individually, and defendants Itaú BBA International (Cayman) Ltd., f/k/a Itaú Europa Luxembourg, S.A., f/k/a

Banco Itaú Europa Luxembourg, S.A. and Banco Itaú Europa International (“Defendants”), by and through their respective, undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on January 12, 2012, the Trustee filed his original complaint (“Complaint”) in the above-captioned adversary proceeding against Defendants. ECF. No. 1;

WHEREAS, on January 20, 2022, it was stipulated and agreed, that Defendants would respond to the Complaint by March 14, 2022, the Trustee would respond to the motion by May 13, 2022, and Defendants would file their reply by June 13, 2022 (the “January 20 Stipulation”);

WHEREAS, Defendants moved to dismiss on March 14, 2022, and the Trustee opposed that motion on May 13, 2022;

WHEREAS, the parties have met and conferred and agreed to adjust the briefing schedule on Defendants’ motion to dismiss;

IT IS HEREBY STIPULATED AND AGREED, that Defendants shall file their reply by June 27, 2022;

IT IS FURTHER HEREBY STIPULATED AND AGREED, that the hearing to consider Defendants’ motion to dismiss will be adjourned from July 13, 2022, to August 10, 2022 at 10:00 a.m.; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that other than the new reply date and hearing date, nothing herein shall modify or alter the terms of the January 20 Stipulation, and nothing herein shall alter, impact, effect, or waive the parties’ substantive and procedural rights and defenses, including, without limitation, Defendants’ personal jurisdiction defense.

Dated: May 27, 2022
New York, New York

BAKER & HOSTETLER LLP

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Madoff Investment Securities LLC and
the estate of Bernard L. Madoff*

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f/k/a Banco Itaú Europa Luxembourg, S.A., and
Banco Itaú Europa International*

Dated: June 1, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge